

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-41 are pending, Claims 1, 20 and 26 having been amended by way of the present amendment. Support for the “body having an interior portion containing electronics” is found in Figure 13, as well as Figure 1, for example. Support for the newly claimed “wireless communication” is found for example at page 23, third full paragraph. Support for the surface of said body including a first sensor on a first side of said body and a second sensor on a second side of said body is found in Figures 1-8, for example. Therefore no new matter is added.

In the outstanding Office Action, Claims 1-5, 7-28, 30-36 and 39-41 were rejected as being anticipated by Ark et al. (U.S. Patent No. 6,190,314, hereinafter Ark); Claims 1, 2, 20, 21, 26 and 27 were indicated as being anticipated by Tapper et al. (U.S. Patent No. 4,190,056, hereinafter Tapper); and Claims 1, 2, 4-16, 20-33, 35-39 and 41 were rejected as being anticipated by Collins (U.S. Patent No. 7,262,703).

In addition to the above-described amendments, Applicants have amended the Abstract, consistent with U.S. patent practice. No new matter is added.

In reply to the prior art rejections, Claim 1, for example, has been amended to further clarify the invention in view of the asserted prior art. In particular, Claim 1 has been amended to define a portable electronics input device (support for which is found at page 23, third full paragraph, referring to a mobile phone or a remote controller, for example). The portable electronics input device includes a body having an interior portion containing electronics that are configured to perform a wireless communication. The wireless communication being at least one of a mobile telephone communication and a television remote controller communication (once again support is found at page 23). The portable

device also includes a bioindex detecting means provided with a region including a holding portion of a surface of the body to be operated. A user holds the body while performing the wireless communication and the biodetecting means detects, for a period of time during which the user grasps the body, bioindex of the user through a skin of the user. Non-limiting support is found, for example, in Figure 1. The portable electronics device also includes a bioindex analyzing means for analyzing bioindex that has been detected by the bioindex detecting means. The surface of the body includes a first sensor on the first side of the body and a second sensor on the second side of the body. The first sensor and the second sensor are positioned to be in contact with a hand of the user when performing wireless communication (see, e.g., Figure 1).

A non-limiting example of a portable electronics input device covered by amended Claim 1 is found for example in Figure 1. In Figure 1, as can be seen, a plurality of sensors (see shaded regions) are disposed on different sides of the mobile telephone. As such, when in normal use, namely when the mobile telephone is being used by the user, the sensors can detect bioindex of the user through the skin of the user when in normal use. Having the sensors on different sides of the body of the mobile telephone allows for accurate galvanic skin reflect (GSR) responses to be measured from at least two points on the skin.

The outstanding Office Action asserts Ark as disclosing all the elements of Claim 1. In view of the amendment to Claim 1, Applicants respectfully traverse the rejection. Ark is directed to a computer input device with biosensors for sensing user emotions. While Ark does describe a galvanic skin response sensor, it does so with the use of only a single sensor 48 (see e.g., Figure 1). Also, Ark is directed to a computer peripheral such as a mouse that is not portable, but is tethered to the computer as shown on Figure 1. Also, unlike a portable electronics device that performs a wireless communication function as claimed, the device in Ark neither performs wireless communication for at least one of mobile telephone

communication or a television remote controller communication. As such it is respectfully submitted that Ark does not disclose all of the elements of amended Claim 1.

In addition to the structural differences between amended Claim 1 and Ark, it is also respectfully submitted that Ark would not offer the same advantages of a portable electronics input device like that of amended Claim 1. The device in Ark is tethered to a computer and does not perform a wireless communication function. Being wireless, it is necessary for the device to be portable, unlike a pointing device such as Ark's disclosure of a tethered mouse. Also, by using a mouse that operates when rolled on a surface, if the device in Ark does not provide a surface of the body including a first sensor on the first side of the body and a second sensor on the second side of the body that would provide for accurate detection of GSR between at least two points on the user's skin.

In view of the differences between amended Claim 1 and of Ark, it is respectfully submitted that the invention defined by amended Claim 1 patentably defines over Ark. Although of differing statutory class and/or scope, it is respectfully submitted that Claims 2-5, 7-28, 30-36 and 39-41, although of differing statutory class and/or scope, also patentably define over Ark for substantially the same reasons discussed above with regard to amended Claim 1.

Claim 1 is also rejected over Tapper. However, Tapper is directed to a method and means for recording sweat gland activity and teaches or suggests nothing about the claimed body having electronics contained therein configured to perform wireless communications (either mobile telephone communication or television remote controller communication) and does not have the first sensor on a first side of a body and a second sensor on a second side of a body as claimed. As such it is respectfully submitted that Tapper does not anticipate amended Claim 1. Thus, it is believed that amended Claim 1, as well as Claims 2, 20, 21, 26

and 27, as amended, patentably define over Tapper for substantially the same reasons discussed above with regard to amended Claim 1.

Lastly, Collins is asserted for its disclosure of a system for generating a signal indicative of a state of a user's body. The primary purpose of the device in Collins is to generate a signal indicative of the state of the user's body and is not to perform wireless communication, which is a feature of the portable electronic input device of Claim 1. Also, the device in Collins is not portable and is not used while performing wireless communication, as claimed. As such it is respectfully submitted that Collins does not disclose all the elements of amended Claim 1 and therefore does not anticipate amended Claim 1. Although of differing statutory class and/or scope it is respectfully submitted that Claims 2, 4-16, 20-33, 35-39 and 41 also patentably define over Collins for substantially the same reasons discussed above with regard to amended Claim 1.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-41, as amended, is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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